

[Docket Nos. 109, 138, 193, 194]

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

THOMAS GORCZYNSKI,

Plaintiff,

v.

ELECTROLUX HOME PRODUCTS,
INC., *et al.*,

Defendants.

Civil No. 18-10661 (RMB/MJS)

ORDER

RENÉE MARIE BUMB, Chief United States District Judge:

This matter comes before the Court upon Defendant’s motion to preclude the expert testimony of Dr. Michael Bak, [Docket No. 109 (the “Bak Motion”)], and Plaintiff’s motion to preclude the expert testimony of Dr. Harri Kytomaa, [Docket No. 138 (the “Kytomaa Motion”)]. Defendant also filed motions to seal the Transcript of the Court’s November 30, 2022 *Daubert* Hearing and the parties post-*Daubert* briefs. [Docket Nos. 193, 194 (collectively, the “Motions to Seal”)]. For the reasons expressed in the Opinion of today’s date,

IT IS on this **2nd** day of **February 2023** hereby:

1. **ORDERED** that the Clerk of the Court shall reopen this matter for consideration of the parties’ pending motions; and it is further
2. **ORDERED** that the Bak Motion is **GRANTED**; and it is further

3. **ORDERED** that the expert report of Dr. Bak is **STRICKEN** and Dr. Bak's opinions and testimony are **BARRED**; and it is further

4. **ORDERED** that the Kytomaa Motion is **DENIED**; and it is further

5. **ORDERED** that Defendant's Motions to Seal are **DENIED**, **WITHOUT PREJUDICE**, and that Defendant may submit amended filings, within fifteen (15) days of the date hereof, remedying the deficiencies the Court outlined in its Opinion of today's date; and it is further

6. **ORDERED** that, within fifteen (15) days of the date hereof, to comply with Local Civil Rule 5.3, the parties shall file (a) redacted versions of the documents sealed by the Courts prior Orders [Docket Nos. 170, 171, & 172], and (b) proposed redactions of the Court's Opinion of today's date; and it is further

7. **ORDERED** that the Court's Opinion of today's date shall be filed under temporary seal pending receipt of the parties' proposed redactions of the Opinion pursuant to paragraph 6 hereof, and further Order of the Court; and it is finally

8. **ORDERED** that the Clerk of the Court shall **E-MAIL** the Court's Opinion of today's date to all counsel of record at their listed e-mail addresses.

s/Renée Marie Bumb
Renée Marie Bumb
Chief United States District Judge